

Buford City Commission

January 9, 2017

The regular monthly meeting was held on January 9, 2017 and all Commission members were present.

Chairman Beard called the meeting to order at 7:00 p.m. and Mr. Burge led the Pledge of Allegiance.

Motion by Mrs. Smith, seconded by Mr. Burge to amend the agenda to correct the date to January 9, 2017.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mrs. Smith to adopt the minutes from the December 5, 2016 Commission meeting as presented by staff.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mrs. Smith to nominate Phillip Beard as Commission Chairman for the year 2017.

Ayes 3
Nays 0

Motion by Mr. Beard, seconded by Mrs. Smith to nominate Chris Burge as Commission Vice-Chairman for the year 2017.

Ayes 3
Nays 0

Motion by Mrs. Smith, seconded by Mr. Beard to appoint Department Heads for the year 2017 as presented. Mr. Burge abstained.

Ayes 2
Nays 0
Abstain 1

Motion by Mr. Burge, seconded by Mrs. Smith to re-appoint Robert Perkins to the Planning & Zoning board.

Ayes 3
Nays 0



Chairman Beard stated that this portion of the meeting will be set aside for public hearings.

Public Hearings

Rezoning:

#Z-16-17: Ed Breedlove, SMC Properties and Cheeley Investment request a rezoning for the property located on Peachtree Industrial Boulevard, being parcel 7-304-007 and containing 54.83 acres, from C-2 to M-1. Applicants request that the rezoning be tabled until the February meeting. Motion by Mr. Burge, seconded by Mrs. Smith to table the request.

Ayes 3
Nays 0

Special Use Permit:

#SUP-16-17: Atlanta Best Cars, Inc. requests a special use permit for the property located on Highway 324 and Cross Road, being parcels 7-177-003/007/012. The special use permit requested is to allow an auto dealership with stream and zoning buffer reductions. Mitch Peevy spoke on behalf of the applicant. Adjoining property owner Norman Groves and another neighbor spoke in opposition of the request with concerns of increased traffic and noise. After a discussion, motion by Mrs. Smith, seconded by Mr. Burge to approve the request with the following conditions:

1. No entrance and/or exit off Cross Road.
2. Provide enhanced landscaping along Cross Road to screen the car lot.
3. Provide a 50-foot undisturbed stream buffer where said property adjoins residentially zoned property and install a 6-foot high wooden fence along the edge of the 50 foot buffer and install a double row of leyland cypress on development side of the fence.
4. The proposed office/shop building is to be 4-sided red brick with a pitched roof to provide for a residential look. There can be a maximum of 2 bays with no bay doors allowed along the front or rear of the building. Minor maintenance and detailing of cars to be allowed inside building only. No body shop to be allowed.
5. Lights are to be cut off type luminaries directed into the property so as not to shine or intrude onto adjacent residential properties.
6. Hours of operation are to be limited to 9am to 7pm Monday through Saturday. Business to be closed on Sunday.
7. Test drive of cars are not allowed to use Cross Road.
8. No outdoor loudspeakers or intercoms are allowed.
9. SUP issued only to owner Joun Hanna and is non-transferable.
10. Provide landscaping plan that allows relocation of parking lot landscaping to other areas on site.

Ayes 3
Nays 0



Annexation:

Plat #542: Marty Orr requests annexation and rezoning for the property located on Gravel Springs Road, being parcel 7-177-003, from RA-200 to C-2 with a special use permit for an auto dealership (see #SUP-16-17). The applicant was present. There were no objections from Gwinnett County concerning the annexation and rezoning. Motion by Mrs. Smith, seconded by Mr. Burge to approve the request with the following conditions:

1. No entrance and/or exit off Cross Road.
2. Provide enhanced landscaping along Cross Road to screen the car lot.
3. Provide a 50-foot undisturbed stream buffer where said property adjoins residentially zoned property and install a 6-foot high wooden fence along the edge of the 50 foot buffer and install a double row of leyland cypress on development side of the fence.
4. The proposed office/shop building is to be 4 sided red brick with a pitched roof to provide for a residential look. There can be a maximum of 2 bays with no bay doors allowed along the front or rear of the building. Minor maintenance and detailing of cars to be allowed inside building only. No body shop to be allowed.
5. Lights are to be cut off type luminaries directed into the property so as not to shine or intrude onto adjacent residential properties.
6. Hours of operation are to be limited to 9am to 7pm Monday through Saturday. Business to be closed on Sunday.
7. Test drive of cars are not allowed to use Cross Road.
8. No outdoor loudspeakers or intercoms are allowed.
9. SUP issued only to owner Joun Hanna and is non-transferable.
10. Provide landscaping plan that allows relocation of parking lot landscaping to other areas on site.

Ayes 3
Nays 0

Plat #543: Charles E. Smith and Gail P. Smith requests annexation and zoning for the property located at 2145 Shoal Creek Road, being parcel 7-326-080, from R-100 to R-100. The applicant was present. There were no objections from Gwinnett County. No one spoke against the request. Motion was made by Mr. Burge, seconded by Mrs. Smith to approve the request.

Ayes 3
Nays 0

Zoning Amendment:

I. #ZA-16-05: Motion by Mr. Burge, seconded by Mrs. Smith to approve amendment to the 2000 City of Buford Zoning Ordinance, Article XIII, Section 1315, subsection 5 and Section 1316, subsection 2 concerning architectural design requirements with the addition of "subject to the approval of the Planning Director" in Section 1315.2.5A(7) and 1316.1.2A(6).



Ayes 3
Nays 0

II. #ZA-16-05: Motion by Mr. Burge, seconded by Mrs. Smith to approve amendment to the 2000 City of Buford Development Regulations, Article 8 to update the referenced stormwater design manual from the Gwinnett County Stormwater Design Manual to the latest edition of the Georgia Stormwater Management Manual.

Ayes 3
Nays 0

Zoning Modification:

I. ZM-17-01 Donald Jason Sartain
430 Apple Tree Way – Lot #26
Sweet Apple Subdivision

#ZM-17-01: Donald Jason Sartain, 430 Apple Tree Way – Lot #26, Sweet Apple Subdivision requests to modify condition #7 from the Commission Meeting of June 6, 2006 to encroach into the 75 foot undisturbed buffer by 35 feet to build a swimming pool with a privacy fence. Motion by Mrs. Smith, seconded by Mr. Burge to approve the request.

Ayes 3
Nays 0

Chairman Beard stated that this concludes the public hearing portion of the meeting.

Motion by Mr. Burge, seconded by Mrs. Smith to approve Wastewater Allocation Appeal for Wade Orr Tract Subdivision – 5941 Atlanta Hwy & 6031/6049 Wade Orr Rd.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mrs. Smith to approve Wastewater Allocation Appeal for THB Partners – 4831 Bryant Road.

Ayes 3
Nays 0

Motion by Mrs. Smith, seconded by Mr. Burge to authorize Chairman Beard to sign agreement with MEAG Power for purchase of excess reserve capacity from City of Griffin.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mrs. Smith to adopt amendment to City of Buford's Distributed Generation Tariff.



Ayes 3
Nays 0

Motion by Mrs. Smith, seconded by Mr. Burge to authorize Chairman Beard to enter into special counsel fee agreement with Smith, Welch, Webb & White, LLC for Hall County Service Delivery Strategy negotiations.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mrs. Smith to approve renewal of 2017-2018 Workers' Compensation policy as presented by staff.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mrs. Smith to authorize City Manager to sign amended fee agreement with City Auditor for single audit reporting for compliance with uniform grant compliance audit requirements.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mrs. Smith to authorize City Manager to enter into an agreement with Phillips Partnership, PC for professional design services for City of Buford downtown parking deck, subject to approval of City Attorney.

Ayes 3
Nays 0

Motion by Mrs. Smith, seconded by Mr. Burge to set qualifying fee for November 7, 2017 election at \$35.00.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mrs. Smith to approve applications for special events to be held at Buford Youth Sports Complex.

Ayes 3
Nays 0



Motion by Mrs. Smith, seconded by Mr. Burge to approve acceptance of Quitclaim and dedication of strip of land comprising extension of Blue Ridge Drive. Chairman Beard abstained.

Ayes 2
Nays 0
Abstained 1

Motion by Mr. Burge, seconded by Mrs. Smith to approve waiver request from Shoal Vision, LLC (South Lee Street) to waiver 12 month bar to file an application for rezoning and/or Special Use permit and allow application in six (6) months.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mrs. Smith to authorize City Manager to proceed with design and construction of sewer line in proximity to 347 and east of I-985 in the Hall County sewer service district utilizing Hall County SPLOST, enterprise and general funds as necessary.

Ayes 3
Nays 0

Motion by Mrs. Smith, seconded by Mr. Burge to authorize payment #1 for SR/13 & Sawnee Avenue signal installation in the amount of \$102,175.06.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mrs. Smith to authorize payment #1 for 2016 paving project in the amount of \$343,891.24.

Ayes 3
Nays 0

Motion by Mr. Burge, seconded by Mrs. Smith to authorize payment #1 for Garnett Street sidewalk project in the amount of \$117,451.98.


Mr. Kerlin gave the City Manager's report.

Mr. Jay, City Attorney, was absent.

After a brief discussion with the audience, motion by Mr. Burge, seconded by Mrs. Smith to adjourn.

Ayes 3
Nays 0

12


Phillip Beard, Chairman

Chris Burge

Chris Burge, Vice-Chairman

Michael G. Smith

Michael Smith, Commissioner

Kevin C. Woyze

City Clerk

1-9-17

Date